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RUEHCI/AMCONSUL KOLKATA 1962
RUEHGH/AMCONSUL SHANGHAI 0029
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UNCLAS SECTION 01 OF 02 MUMBAI 000486

SIPDIS

"CA/FPP - PLEASE PASS TO DHS"

E.O. 12958: N/A

TAGS: CVIS OEXC KFRD IN

SUBJECT: I-20 FEVER: STUDENT VISA APPLICATIONS IN MUMBAI

REF: A) 09 SHANGHAI 000293, B) 09 SHANGHAI 000361, C) 09 KOLKATA 000246

¶1. (SBU) SUMMARY. Over the past year, Mumbai noted a marked rise in the number of lesser qualified student visa applicants, many of whom tended to apply to the same universities. To explore this trend, Mumbai used entry/exit reports (ADIS) and student enrollment (SEVP) data to analyze the study patterns of 800 randomly selected individuals, of whom 133 transferred within two years of their visa issuance. As most students expect to stay in the U.S. three to five years based on degree completion and the practical training that follows, assessment of university transfers with a focus on transfers to a lower level degree program was used as the main indicator for validation. The study found that multiple transfers were not uncommon and 40 percent of transfers were to a lower level degree program. In a second random sample of applicants issued only for study at universities identified by adjudicators as attracting a higher number of unqualified applicants, the completion rate was lower, rate of terminations higher, and the number of transfers down was greater. END SUMMARY.

¶2. (SBU) BACKGROUND: Of the 18,682 F1 applications for received in calendar year 2007, Mumbai's adjusted refusal rate for individuals was 21%. An extraordinary number of repeat refusals inflates the refusal rate per application to 33%. Unqualified F1 visa applicants appear for third, fourth, and sometimes seventh interviews hoping for a different decision. Mumbai's refused student applicants are characterized by difficulty communicating in English (with or without anticipated English training on their I-20s), few or single university applications submitted, poor standardized test scores, financing by extended family dependant on agricultural income, and a rehearsed script of the reasons they selected the particular university. Many of these applicants state that they found the school on the internet, but when pressed during the interview acknowledge that they applied based on a local recruiting agent's presentation.

METHODOLOGY AND RESULTS

¶3. (SBU) To assess whether our F1 applicants maintain student status in the United States, Consulate General Mumbai conducted a validation study focusing on the F1 issuances of CY2007. Post began with a list of all F1 issuances from post for the calendar year 2007 from CCD AdHoc. Students had two years to travel, enroll, transfer, drop out, or complete their programs. Since the majority of our F1 applicants are pursuing master's degrees, completion in two years is not unrealistic. From these issuances a random sample of 800 was drawn. Given Shanghai's recent discovery of higher transfer rates from institutions that "attracted poorly qualified students" identified by Shanghai adjudicators (ref A), Post took a second random sampling of 800 students from a targeted group of institutions. Through CA/FPP, Post received ADIS results for these two samples of data.

¶4. (SBU) Adjudicators were asked to submit the names of educational institutions that consistently issue I-20s to our least qualified student applicants. This list comprised twenty

institutes, including the American Institute of Pharmaceutical Technology (AIPT), which received notice of intent to withdraw SEVIS issuing authority in December 2007, and the University of North Alabama (UNA), which issued more I-20 forms to Indian applicants than their total graduate student intake. Mumbai alone saw 2070 applications annotated for UNA, though the University's website states UNA serves approximately 1000 graduate business students. Despite general concerns over educational institutions which appear to attract less qualified student visa applicants, 19% of issuances for Mumbai in 2007 were annotated for attendance at one of these twenty universities of concern identified by adjudicators, highlighting Mumbai's commitment to adjudicating the applicant, not the school.

¶5. (SBU) Of the 800 issuances in the general sample, the most recently reported status indicated 682 (84%) were in active status, 44 (6%) were terminated, 12 (2%) were cancelled, 13 (2%) were deactivated, and 42 (5%) had completed their programs. By analyzing multiple records of active status, Mumbai was able to discern transfer narratives: 133 transfers were reported in SEVIS, of which 54 (40%) were transfers to a program with a lower educational code, for example Masters to Bachelors, Bachelors to Language Training, or Bachelors to Other Vocational. Transfers down suggest that the applicant was unable to successfully complete the program to which he was admitted and cast doubt on the accuracy of admissions decisions by I-20 issuing authorities.

¶6. (SBU) Of the 800 cases from the schools of concern, 793 were successfully matched to SEVIS records. Of these, 667 (84%) were in active status, 74 (9%) were terminated, 7 (1%) were cancelled, 16 (2%) were deactivated, and only 15 (2%) had completed their programs. Not surprisingly, the targeted sample showed a lower rate of completion and higher rate of terminations. Individuals issued visas to attend these schools

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are reported to have transferred 146 times, of which 89 (60%) transfers were to lower coded programs.

PRACTICAL TRAINING ALSO A CONCERN

¶7. (SBU) Several SEVIS records reviewed from among the "schools of concern" list provide anecdotal evidence that student's activities upon entering the U.S. appear to be inconsistent with the educational goals they had presented to the visa officer, and that I-20 issuing institutions appear to be exploiting the Practical Training exception in 9 FAM 41.61 N13.4. Examples include a student initially admitted to International Technical University in Sunnyvale, CA, who within a semester was granted CPT to work as a sales associate at 7-Eleven in Odenton, MD, followed immediately by CPT to at Motel 8 in Kalamazoo, MI. In another case, SEVIS ID N0004673956 was granted CPT to work as a 7-Eleven store manager on arrival to Silicon Valley University, another indication that certain institutions appear to be exploiting the Practical Training exception.

¶8. (SBU) A further trend, discovered when derivative F2s appeared for visa interviews to join their claimed full-time student spouses, was that certain F1 students were reportedly studying at the University of Northern Virginia in Manassas, but residing in Edison, New Jersey, a center of migration for Gujarati speakers from the Mumbai consular district. For example, SEVIS ID N0004854481 has an "ACTIVE" SEVIS record at the University of Northern Virginia, which includes a comment stating the applicant is authorized to take a one year vacation, and concurrent "INITIAL" records at Essex Community College, NJ, and Our Planet Management, NY, which suggest he has submitted applications elsewhere. However, there are no indications that he is maintaining active status as a full time student. Similarly, SEVIS ID N0004297232 shows "ACTIVE" status at the University of Northern Virginia, with no mention of CPT authorization in New Jersey, but does show a "DEACTIVATED" record at New York's Bluedata International Institute without explanation in the previous month. At the master's level, students are expected to maintain a course load of nine credit hours per term to maintain active status. It is unclear how without performing off-site CPT work, this applicant managed to commute five and a half hours to attend classes. COMMENT. This pattern casts doubt on the accuracy of status reported by some

institutions. END COMMENT.

RECOMMENDATIONS AND CONCLUSION

¶9. (SBU) COMMENT: In reviewing SEVIS records, Mumbai noted that very few records of termination or deactivated SEVIS status included comments. Post recommends if possible that SEVP require a more detailed accounting of the reason SEVIS status becomes "CANCELLED," "TERMINATED," or "DEACTIVATED." SEVP does not include information that would assist in determining students' whereabouts when they remain in country without maintaining status. Moreover, the SEVIS Lookup feature on the CCD would be a stronger tool if it offered a "batch lookup" feature, making individual searches on a large sample of SEVIS IDs a less labor intensive process. Much like CBP's powerful fraud prevention tool the Arrival Departure Information System (ADIS), a SEVIS search that can only be used for individual searches hampers posts' ability to perform targeted research on travel patterns of specific groups (ref B &C).

¶10. (SBU) Mumbai will continue to adjudicate individual students not schools, but is concerned by the widespread over issuance of I-20s by universities that consistently see students transfer, become deactivated or cancelled. A second trend of concern is universities that fail to update SEVIS status when students' residential addresses indicate they are not maintaining active status by registering for classes or working on authorized CPT/OPT . These trends ensure that Mumbai adjudicators will continue to assess the intent of student applicants to complete their stated degree program as a major factor in student visa adjudications. END COMMENT.

TYLERDA